

RESOLUTION

AUTHORIZING AWARD OF CONTRACT PROFESSIONAL LEGAL SERVICES FOR ASSISTANT TOWNSHIP PROSECUTOR PURSUANT TO SECTION 4-76 OF THE MUNICIPAL CODE TO SEAN KEAN, ESQ. OF THE LAW FIRM OF CLEARY, GIACOBBE, ALFIERI & JACOBS LLC IN AN AMOUNT NOT TO EXCEED \$10,000.00 (\$600.00 PER SESSION) FOR A TERM COMMENCING ON JANUARY 1, 2023 THROUGH DECEMBER 31, 2023

WHEREAS, the Township of Bridgewater requires the services of a professional New Jersey licensed attorney as an Assistant Municipal Prosecutor, to serve in the event the Chief Municipal Prosecutor is unavailable to serve; and

WHEREAS, pursuant to the New Jersey Local Unit “Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., the Township has sought qualified professionals, namely New Jersey licensed attorneys, to provide the services through the use of a “fair and open process,” as defined in N.J.S.A. 19:44A-20.7; and

WHEREAS, as required by this law, the Township provided sufficient notice of its Request for Proposals; publicly solicited RFPs through the utilization of the Township’s official Web site; established an award and disclosure process documented in writing prior to soliciting any RFPQs; publicly opened all proposals; and publicly will award the Contract via this Resolution of the Township Council; and

WHEREAS, in response to the RFP, Sean Kean, Esq. of Cleary, Giacobbe, Alfieri & Jacobs LLC has submitted a proposal to serve as Assistant Township Prosecutor for the Township for a term commencing on January 1, 2023 through December 31, 2023, based on the compensation delineated hereinbelow; and

WHEREAS, the proposal submitted by Sean Kean, Esq. meets the selection criteria articulated in the RFP and was the only proposal received by the Township; and

WHEREAS, the Mayor hereby appoints Sean Kean, Esq., as the Assistant Township Prosecutor and the advice and consent of the Township Council is needed pursuant to Section 4-76 of the Municipal Code of the Township of Bridgewater; and

WHEREAS, the Township Council deems it in the best interests of the Township to award a contract to Sean Kean, Esq., to provide the services delineated in the RFP and wishes to provide its advice and consent; and

WHEREAS, a certification affirming the availability of funds in accordance with N.J.A.C. 5:34-5.1 et seq. has been provided by Joseph Sarno, Chief Finance Officer on behalf of Holman Frenia Allison, P.C., and is attached hereto and made a part hereof, and

WHEREAS, pursuant to N.J.A.C. 5:34-5.1 et seq., the funds so certified as available are encumbered in Acct. No. 1-2022-1100-0155-2-00027.

WHEREAS, the Local Public Contracts Law, N.J.S.A. 446:11-1 et seq., requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bidding must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council that it hereby provides its advice and consent to the appointment by the Mayor of Sean Kean, Esq. as the Assistant Township Prosecutor pursuant to Section 4-76 of the Municipal Code of the Township of Bridgewater.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Bridgewater that a Professional Services Contract be awarded and executed with Sean Kean, Esq. to provide professional legal services as Assistant Township Prosecutor as reflected in the RFP through December 31, 2023.

BE IT FURTHER RESOLVED, that the Matthew C. Moench, Mayor and Linda J. Doyle, Township Clerk are hereby authorized to execute the contract and any and all related documents reflected in the RFP and its attachments with Sean Kean, Esq. and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution.

BE IT FURTHER RESOLVED, that the compensation to be paid to Sean Kean, Esq. shall be based on a compensation schedule in the contract for professional services executed with the aforementioned with the understanding that total compensation based on a calendar year shall not exceed \$10,000 to be paid on as-need, per session basis.

BE IT FURTHER RESOLVED that a copy of this resolution shall be publicly advertised pursuant to N.J.S.A 40A:11-5 et seq.

Introduced	Seconded	Council	Aye	Nay	Abstain	Absent
	✓	Kurdyla	✓			
✓		Norgalis	✓			
		Pedroso	✓			
		Ring	✓			
		Kirsh	✓			

Adopted: February 16, 2023